

THE CINCINNATI ENQUIRER  
THE CINCINNATI POST  
THE KENTUCKY POST

312 ELM STREET  
CINCINNATI, OHIO 45202-2739  
(513) 721-2700

## AFFIDAVIT

( CASE NUMBER ) MAURA P LE  
( CAPTION COPY ) CASE # 1:05-CV-431  
( QUOTED COST ) \$1,678.79  
( AD # ) 44477  
( ORDER # ) 100060782

STATE OF OHIO, SS.  
HAMILTON COUNTY,

PERSONALLY APPEARED BEFORE ME,

A NOTARY PUBLIC, IN AND FOR HAMILTON  
COUNTY, OHIO *Judy Smith*

WHO, BEING DULY SWORN, SAYS THAT THE

ANNEXED ADVERTISEMENT WAS PUBLISHED

IN THE

CINCINNATI ENQUIRER

DAILY NEWSPAPERS 7 TIMES TO WIT:

*..8/11, 8/12, 8/13, 8/14, 8/15, 8/16, 8/17/05*

*Judy Smith*  
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME THIS

*31st* DAY OF *August 2005*



*Anita L. Alexander*  
NOTARY PUBLIC

ANITA L. ALEXANDER  
Notary Public, State of Ohio  
My Commission Expires Aug. 7, 2010



A WORLD OF DIFFERENT VOICES  
WHERE FREEDOM SPEAKS

Department of Justice  
Antitrust Division Taking  
notice that a Complaint propo-  
sed Final Judgment, Supple-  
ment, and Competitive Impact  
Statement have been filed  
with the United States District  
Court for the Southern District  
of Ohio in the United States v.  
Federation of Physicians and  
Dentists et al., Case No. 1:05-  
CV-431. On June 28, 2005,  
the United States filed a Com-  
plaint alleging that the Federa-  
tion of Physicians and Dentists  
(Federation), Dr. Michael  
Karram, Dr. Warren Wendel, con-  
spired with other Ohio OBGYN  
members to increase fees paid  
by commercial insurers to Fed-  
eration members in violation  
of Sherman Act section 1. The  
proposed Final Judgment filed  
with the Complaint by prohib-  
iting Dr. Karram, Dr. Mettard,  
and Dr. Wendel (the Settling  
Physicians) from any involve-  
ment in any agreement  
among competing physicians  
pertaining to contract, care  
negotiations with health care  
payers, or the provision of  
consulting, financial, legal, or  
negotiating services concern-  
ing any payer contract. The  
Settling Physicians are also not  
permitted to use the Federa-  
tion for contracting and nego-  
tiation services. The proposed  
Final Judgment also prohibits  
certain communications be-  
tween any settling physician  
and any competing physician.  
A Competitive Impact State-  
ment filed by the United  
States describes the Com-  
plaint, the proposed Final  
Judgment, and the remedies  
available to private litigants.  
Copies of the Complaint, pro-  
posed Final Judgment, and  
Competitive Impact Statement  
are available for inspection at  
the Department of Justice in  
Washington, D.C., Room  
2455, North 325, Seventh  
Street, N.W., 20530 (tele-  
phone: 202/514-2692), and  
at the Office of the Clerk of  
the United States District  
Court for the Southern District  
of Ohio, Western Division,  
Potter Stewart U.S.  
Courthouse, Room 103, 100  
East Fifth Street, Cincinnati,  
Ohio 45202. Interested per-  
sons may address comments  
to Mark J. Botti, Chief Litiga-  
tion Section, Antitrust Division,  
U.S. Department of Justice,  
1401 M Street, N.W.,  
Suite 4000, Washington, D.C.  
20530. (Telephone: 202/307-  
0000) within 60 days of the  
date of this notice.  
44477/100060782

# EXHIBIT B

Ad # 23218 Name US DEPT OF JUSTICE/ANTI TRUS Size 76 lines  
Class 815' PO # PO 5337 Authorized by MAURA LEE Account 632270

M0102

## PROOF OF PUBLICATION

District of Columbia, ss., Personally appeared before me, a Notary Public in and for the said District, Kate M. Davey well known to me to be Billing Manager of The Washington Post, a daily newspaper published in the City of Washington, District of Columbia, and making oath in due form of law that an advertisement containing the language annexed hereto was published in said newspaper on the dates mentioned in the certificate herein.

I Hereby Certify that the attached advertisement was published in The Washington Post, a daily newspaper, upon the following dates at a cost of \$4,689.20, and was circulated in the Washington metropolitan area.

Published 7 times. Dates: Aug 4, 5, 6, 7, 8, 9 and 10, 2005  
Account 632270

Kate M. Davey  
Witness my hand and official seal this 7<sup>th</sup> day of September 2005  
Jennifer A. Johnson  
My commission expires Notary Public, District of Columbia  
My Commission Expires 02-20-2008

## U.S. DEPARTMENT OF JUSTICE ANTITRUST DIVISION

Take notice that a Complaint, proposed Final Judgment, Stipulation, and Competitive Impact Statement have been filed with the United States District Court for the Southern District of Ohio in United States v. Federation of Physicians and Dentists, et al., Case No. 1:05-cv-431. On June 24, 2005, the United States filed a Complaint alleging that the Federation of Physicians and Dentists ("Federation"), Dr. Michael Karram, Dr. Warren Metherd, and Dr. James Wendel conspired with other Ob-Gyn members to increase fees paid by commercial insurers to Federation members in violation of Sherman Act section 1. The proposed Final Judgment filed with the Complaint will help restore competition by prohibiting Dr. Karram, Dr. Metherd, and Dr. Wendel ("the Settling Physicians") from any involvement in any agreement among competing physicians pertaining to contract terms, negotiations with health care payers, or the provision of consulting, financial, legal, or negotiating services concerning any payer contract. The Settling Physicians are also not permitted to use the Federation for contracting and negotiation services, such as messenger services. The proposed Final Judgment also prohibits certain communications between any Settling Physician and any competing physician.

A Competitive Impact Statement, filed by the United States, describes the Complaint, the proposed Final Judgment, and the remedies available to private litigants. Copies of the Complaint, proposed Final Judgment, and Competitive Impact Statement are available for inspection at the Department of Justice in Washington, D.C. in Room 215 North, 325 Seventh Street, N.W., 20530 (telephone 202-514-2692), and at the Office of the Clerk of the United States District Court for the Southern District of Ohio, Western Division, Potter Stewart U.S. Courthouse, Room 103, 100 East Fifth Street, Cincinnati, Ohio 45202.

Interested persons may address comments to Mark J. Botti, Chief, Litigation I Section, Antitrust Division, U.S. Department of Justice, 1401 H Street, N.W., Suite 4000, Washington, D.C. 20530 (202-307-0001) within 60 days of the date of this notice.